

**The Sixteenth Annual National Seminar  
on the  
FEDERAL SENTENCING GUIDELINES**

Wednesday - Friday  
May 23 - 25, 2007

Little America Hotel  
Salt Lake City, Utah

**WEDNESDAY  
MAY 23, 2007**

**11:30 - 4:00 p.m.**

**REGISTRATION**

**12:30 - 4:00 p.m.**

**INTRODUCTION TO THE  
SENTENCING GUIDELINES**

(optional session)

The Basic Individual Guidelines Training is designed to provide an introduction to guidelines application for those with limited federal guidelines experience. This session will also highlight provisions of the Sentencing Reform Act. This session may be taken alone or in connection with the remainder of the seminar.

**12:30 - 2:30 p.m.**

**BASIC INDIVIDUAL GUIDELINES TRAINING**

- < **L. Russell Burress, Principal Training Advisor**  
*Office of Education & Sentencing Practice  
United States Sentencing Commission*
- < **Alan Dorhoffer, Esquire**  
*Senior Staff Attorney  
United States Sentencing Commission*
- < **Honorable Ricardo H. Hinojosa**  
*Chair  
United States Sentencing Commission*

**2:30 - 2:45 p.m.**

**BREAK**

**2:45 - 4:00 p.m.**

**BASIC INDIVIDUAL GUIDELINES TRAINING  
RESUMES**

**4:00 p.m.**

**ADJOURNMENT**

**5:30 - 7:30 p.m.**

**COCKTAIL RECEPTION**

**THURSDAY  
MAY 24, 2007**

**7:30 - 8:15 a.m.**

**LATE REGISTRATION  
CONTINENTAL BREAKFAST**

**8:15 - 8:30 a.m.**

**WELCOMING REMARKS**

- < **James E. Felman, Esquire**  
*Kynes, Markman & Felman, P.A.  
Tampa, FL*
- < **Pamela G. Montgomery, Esquire**  
*Director & Chief Counsel  
Office of Education & Sentencing Practice  
United States Sentencing Commission*

**8:30 - 9:45 a.m.**

**FEDERAL SENTENCING GUIDELINES  
POST-BOOKER  
PLENARY SESSION**

**United States Sentencing Commissioners**

- < **Honorable Ricardo H. Hinojosa**  
*Chair*
- < **Honorable Ruben Castillo**  
*Vice Chair*
- < **Honorable William K. Sessions, III**  
*Vice Chair*
- < **Honorable John R. Steer**  
*Vice Chair*
- < **Honorable Dabney Friedrich**  
*Commissioner*
- < **Honorable Michael E. Horowitz**  
*Commissioner*
- < **Honorable Beryl A. Howell**  
*Commissioner*
- < **Honorable Benton J. Campbell**  
*Commissioner (Ex officio)*
- < **Honorable Edward F. Reilly, Jr.**  
*Commissioner (Ex officio)*

**9:45 - 10:00 a.m.**

**BREAK**

**THURSDAY (continued)  
MAY 24, 2007**

**10:00 - 11:30 a.m.**

**SENTENCING ISSUES AND THE CONGRESS  
PLENARY SESSION**

- < **Honorable Dabney Friedrich**  
*Commissioner  
United States Sentencing Commission*
- < **Bobby N. Vassar, Esquire**  
*Chief Counsel for the House Judiciary Subcommittee  
on Crime, Terrorism, and Homeland Security*
- < **Michael Volkov, Esquire**  
*Chief Minority Counsel for the House Judiciary  
Subcommittee on Crime, Terrorism, and Homeland  
Security*
- < **Ron Weich, Esquire**  
*Chief Counsel to Senator Harry Reid  
Majority Leader of the United States Senate*

**Moderator:** **Lisa Rich, Esquire**  
*Director, Office of Legislative Affairs  
United States Sentencing Commission*

**11:30 a.m. - 1:00 p.m.**

**LUNCH BREAK**

*\*These sessions are offered twice during the course of this seminar.*

**1:00 - 2:30 p.m.**

**CONCURRENT SESSIONS**

**A. GUIDELINE DEPARTURES & VARIANCES  
OUTSIDE THE RANGE UNDER § 3553(A) I\***

- < **Professor Sara Sun Beale**  
*Duke University School of Law  
Durham, NC*
- < **Honorable Julia Smith Gibbons**  
*United States Court of Appeals for the Sixth Circuit*
- < **Nicholas Kaizer, Esquire**  
*Law Offices of Richard Ware Levitt  
New York, NY*
- < **Honorable William K. Sessions, III**  
*Vice Chair  
United States Sentencing Commission*
- < **Ronald Tenpas, Esquire**  
*Associate Deputy Attorney General  
United States Department of Justice*

**Moderator:** **Professor Douglas Berman**  
*Ohio State University College of Law  
Columbus, OH*

**THURSDAY (continued)  
MAY 24, 2007**

*\*These sessions are offered twice during the course of this seminar.*

**1:00 - 2:30 p.m.**

**CONCURRENT SESSIONS  
(continued)**

**B. RELEVANT CONDUCT I\***

- < **L. Russell Burress, Principal Training Advisor**  
*Office of Education & Sentencing Practice  
United States Sentencing Commission*
- < **Kealin Culbreath, Esquire**  
*Senior Education & Sentencing Practice Specialist  
United States Sentencing Commission*
- < **Beverly L. Morgan**  
*Supervising United States Probation Officer  
Western District of North Carolina*

**D. IMMIGRATION OFFENSES I\***

- < **Alan Dorhoffer, Esquire**  
*Senior Staff Attorney  
United States Sentencing Commission*
- < **Honorable George P. Kazen**  
*United States District Court  
Southern District of Texas*
- < **Phillip Munoz, Jr.**  
*Assistant Deputy Chief  
United States Probation Officer  
District of New Mexico*
- < **Jon M. Sands, Esquire**  
*Federal Defender  
District of Arizona*

**C. FRAUD & THEFT OFFENSES**

- < **David Debold, Esquire**  
*Gibson, Dunn & Crutcher, LLP  
Washington, DC*
- < **Honorable Michael E. Horowitz**  
*Commissioner  
United States Sentencing Commission*
- < **Judy James**  
*Senior United States Probation Officer  
Southern District of Mississippi*
- < **Honorable John C. Richter**  
*United States Attorney  
Western District of Oklahoma*

**Moderator:** **Ken Cohen, Esquire**  
*General Counsel  
United States Sentencing Commission*

**THURSDAY (continued)**  
**MAY 24, 2007**

*\*These sessions are offered twice during the course of this seminar.*

**1:00 - 2:30 p.m.**

**CONCURRENT SESSIONS**  
**(continued)**

**E. SEXUAL OFFENSES**

- < **Kevin Blackwell**  
*Senior Research Associate  
United States Sentencing Commission*
- < **Scott P. MacNichol**  
*Supervising United States Probation Officer  
Middle District of Florida*
- < **Honorable Lawrence L. Piersol**  
*United States District Court  
District of South Dakota*
- < **John Rhodes, Esquire**  
*Assistant Federal Defender  
District of Montana*

**F. BUREAU OF PRISONS ISSUES**

- < **Todd A. Bussert, Esquire**  
*Attorney at Law  
New Haven, CT*
- < **Paul Layer, Esquire**  
*Associate General Counsel  
Federal Bureau of Prisons*

**2:30 - 2:45 p.m.**

**BREAK**

**2:45 - 4:15 p.m.**

**CONCURRENT SESSIONS**

**A. GUIDELINE DEPARTURES & VARIANCES  
OUTSIDE THE RANGE UNDER § 3553(A) II\***

- < **Professor Sara Sun Beale**  
*Duke University School of Law  
Durham, NC*
- < **Honorable Julia Smith Gibbons**  
*United States Court of Appeals for the Sixth Circuit*
- < **Nicholas Kaizer, Esquire**  
*Law Offices of Richard Ware Levitt  
New York, NY*
- < **Honorable William K. Sessions, III**  
*Vice Chair  
United States Sentencing Commission*
- < **Ronald Tenpas, Esquire**  
*Associate Deputy Attorney General  
United States Department of Justice*

Moderator: **Professor Douglas Berman**  
*Ohio State University College of Law  
Columbus, OH*

**THURSDAY (continued)**  
**MAY 24, 2007**

*\*These sessions are offered twice during the course of this seminar.*

**2:45 - 4:15 p.m.**

**CONCURRENT SESSIONS**  
**(continued)**

**B. RELEVANT CONDUCT II\***

- < **L. Russell Burress, Principal Training Advisor**  
*Office of Education & Sentencing Practice  
United States Sentencing Commission*
- < **Kealin Culbreath, Esquire**  
*Senior Education & Sentencing Practice Specialist  
United States Sentencing Commission*
- < **Beverly L. Morgan**  
*Supervising United States Probation Officer  
Western District of North Carolina*

**C. IMMIGRATION OFFENSES II\***

- < **Alan Dorhoffer, Esquire**  
*Senior Staff Attorney  
United States Sentencing Commission*
- < **Honorable George P. Kazen**  
*United States District Court  
Southern District of Texas*
- < **Phillip Munoz, Jr.**  
*Assistant Deputy Chief  
United States Probation Officer  
District of New Mexico*
- < **Jon M. Sands, Esquire**  
*Federal Defender  
District of Arizona*

**D. EMPIRICAL RESEARCH ON THE POST-BOOKER  
FEDERAL SENTENCING SYSTEM**

- < **Paul Hofer, PhD.**  
*Senior Research Associate  
United States Sentencing Commission*
- < **Professor James J. Prescott**  
*University of Michigan School of Law  
Ann Arbor, MI*
- < **Honorable John R. Steer**  
*Vice Chair  
United States Sentencing Commission*
- < **Professor Ronald F. Wright, Jr.**  
*Wake Forest University School of Law  
Winston-Salem, NC*

Moderator: **Glenn Schmitt, Esquire**  
*Director of Research  
United States Sentencing Commission*

**THURSDAY (continued)**  
**MAY 24, 2007**

**2:45 - 4:15 p.m.**

**CONCURRENT SESSIONS**  
**(continued)**

**E. CHAPTER 3 ADJUSTMENTS**

- < **Honorable Benton J. Campbell**  
*Commissioner (Ex officio)*  
*United States Sentencing Commission*
- < **Honorable William Downes**  
*Chief Judge, United States District Court*  
*District of Wyoming*
- < **James E. Felman, Esquire**  
*Kynes, Markman & Felman, P.A.*  
*Tampa, FL*
- < **Ellen S. Moore**  
*Chief United States Probation Officer*  
*Middle District of Georgia*

Moderator: **Pamela O. Barron, Esquire**  
*Deputy General Counsel*  
*United States Sentencing Commission*

**F. ORGANIZATIONAL GUIDELINES**

- < **Cathy Battistelli**  
*Supervising United States Probation Officer*  
*District of New Hampshire*
- < **Timothy J. Coleman, Esquire**  
*Dewey Ballantine, LLP*  
*Washington, DC*
- < **Kathleen Grilli, Esquire**  
*Deputy General Counsel*  
*United States Sentencing Commission*
- < **Honorable Beryl A. Howell**  
*Commissioner*  
*United States Sentencing Commission*

**G. RESTITUTION**

- < **Catharine M. Goodwin, Esquire**  
*Attorney at Law*  
*Sun City West, AZ*

**4:15 p.m.**

**ADJOURNMENT**

**5:30 - 7:30 p.m.**

**COCKTAIL RECEPTION**

**FRIDAY**  
**MAY 25, 2007**

**8:00 - 8:30 a.m.**

**CONTINENTAL BREAKFAST**

**8:30 - 9:45 a.m.**

**A VIEW FROM THE BENCH**  
**PLENARY SESSION**

- < **Honorable Charles R. Breyer**  
*United States District Court*  
*Northern District of California*
- < **Honorable John Gleeson**  
*United States District Court*  
*Eastern District of New York*
- < **Honorable Irene M. Keeley**  
*Chief Judge, United States District Court*  
*Northern District of West Virginia*
- < **Honorable Patti B. Saris**  
*United States District Court*  
*District of Massachusetts*
- < **Honorable Reggie B. Walton**  
*United States District Court*  
*District of Columbia*
- < **Honorable Susan Webber Wright**  
*United States District Court*  
*Eastern District of Arkansas*

Moderator: **Honorable Ricardo H. Hinojosa**  
*Chair*  
*United States Sentencing Commission*

**9:45 - 10:00 a.m.**

**BREAK**

**10:00 - 11:30 a.m.**

**SENTENCING APPEALS**  
**IN THE POST-BOOKER ERA**  
**PLENARY SESSION**

- < **Michael Dreeben, Esquire**  
*Deputy Solicitor General*  
*United States Department of Justice*
- < **Jeffrey Ifrah, Esquire**  
*Greenberg Taurig, LLP*  
*Washington, DC*
- < **Honorable Edith Hollan Jones**  
*Chief Judge*  
*United States Court of Appeals for the Fifth Circuit*
- < **Honorable William Jay Riley**  
*United States Court of Appeals*  
*for the Eighth Circuit*
- < **Honorable Jeffrey S. Sutton**  
*United States Court of Appeals for the Sixth Circuit*

**FRIDAY (continued)  
MAY 25, 2007**

**11:30 a.m. - 1:00 p.m.**

**LUNCH BREAK**

**1:00 - 2:30 p.m.**

**CONCURRENT SESSIONS**

**A. PLEA BARGAINING**

- < **Barry Boss, Esquire**  
*Cozen O'Connor  
Washington, DC*
- < **Honorable Robin Cauthron**  
*Chief Judge, United States District Court  
Western District of Oklahoma*
- < **Richard H. Deane, Esquire**  
*Jones Day  
Atlanta, GA*
- < **Michael J. Elston, Esquire**  
*Chief of Staff & Counselor  
Office of the Deputy Attorney General  
United States Department of Justice*
- < **Honorable Nancy Gertner**  
*United States District Court  
District of Massachusetts*

**B. ADVANCED GUIDELINE APPLICATION ISSUES:  
A QUESTION AND ANSWER SESSION**

- < **L. Russell Burress, Principal Training Advisor**  
*Office of Education & Sentencing Practice  
United States Sentencing Commission*
- < **Alan Dorhoffer, Esquire**  
*Senior Staff Attorney  
United States Sentencing Commission*
- < **Catharine M. Goodwin, Esquire**  
*Attorney at Law  
Sun City West, AZ*

**C. CRIMINAL HISTORY**

- < **Beverly Dyer, Esquire**  
*Assistant Federal Defender  
District of Columbia*
- < **Elizabeth F. Ervin**  
*Supervising United States Probation Officer  
Western District of North Carolina*
- < **Rachel Pierce**  
*Senior Education & Sentencing Practice Specialist  
United States Sentencing Commission*
- < **Honorable Deborah Rhodes**  
*United States Attorney  
Southern District of Alabama*
- < **Honorable John R. Steer**  
*Vice Chair  
United States Sentencing Commission*

**FRIDAY (continued)  
MAY 25, 2007**

**1:00 - 2:30 p.m.**

**CONCURRENT SESSIONS  
(continued)**

**D. DRUG OFFENSES**

- < **Kelli Ferry, Esquire**  
*Assistant United States Attorney  
Eastern District of Virginia*
- < **Honorable Sterling Johnson, Jr.**  
*Senior Judge, United States District Court  
Eastern District of New York*
- < **A.J. Kramer, Esquire**  
*Federal Defender  
District of Columbia*
- < **Honorable B. Lynn Winmill**  
*Chief Judge, United States District Court  
District of Idaho*

Moderator: **Kathleen Grilli, Esquire**  
*Deputy General Counsel  
United States Sentencing Commission*

**E. FIREARM OFFENSES**

- < **Honorable Ruben Castillo**  
*Vice Chair  
United States Sentencing Commission*
- < **Brent Newton, Esquire**  
*Assistant Federal Defender  
Southern District of Texas*
- < **Honorable William Fremming Nielsen**  
*Senior Judge, United States District Court  
Eastern District of Washington*
- < **Felipe Ortiz**  
*Senior United States Probation Officer  
District of Nevada*

Moderator: **Bobby L. Evans**  
*Senior Education & Sentencing Practice Specialist  
United States Sentencing Commission*

**F. TERRORISM OFFENSES**

- < **Pamela O. Barron, Esquire**  
*Deputy General Counsel  
United States Sentencing Commission*
- < **Honorable Gerald B. Lee**  
*United States District Court  
Eastern District of Virginia*

**FRIDAY (continued)**  
**MAY 25, 2007**

**2:30 - 2:45 p.m.**

**BREAK**

**2:45 - 4:15 p.m.**

**CONCURRENT SESSIONS**

**A. DEFENSE ATTORNEY TRAINING**

This session is designed to focus on issues of particular interest to defense counsel. Hear the latest information on key sentencing matters that directly impact clients.

- < **Amy Baron Evans, Esquire**  
*National Sentencing Resource Counsel to the  
Federal Public & Community Defenders  
Boston, MA*
- < **David Debold, Esquire**  
*Gibson, Dunn & Crutcher, LLP  
Washington, DC*
- < **T. Mark Flanagan, Esquire**  
*McKenna, Long & Aldridge, LLP  
Washington, DC*
- < **Michael S. Pasano, Esquire**  
*Zuckerman Spaeder, LLP  
Miami, FL*

Moderator: **Barry Boss, Esquire**  
*Cozen O'Connor  
Washington, DC*

**B. PROBATION OFFICER TRAINING**

This session is designed to focus on issues of particular interest to probation officers. Hear the latest information on presentence reports, sentencing hearings and the role of probation officers in the post-*Booker* era.

- < **Elizabeth F. Ervin**  
*Supervising United States Probation Officer  
Western District of North Carolina*
- < **John Fitzgerald**  
*Regional Administrator  
Administrative Office of the U.S. Courts  
Office of Probation & Pretrial Services*
- < **Felipe Ortiz**  
*Senior United States Probation Officer  
District of Nevada*
- < **Judith Sheon, Esquire**  
*Staff Director  
United States Sentencing Commission*

**FRIDAY (continued)**  
**MAY 25, 2007**

**2:45 - 4:15 p.m.**

**CONCURRENT SESSIONS**  
**(continued)**

**C. PROSECUTOR TRAINING**

This session is designed to focus on issues of particular interest to prosecutors. Hear the latest information regarding the Department of Justice sentencing policies and crime initiatives.

- < **Honorable Benton J. Campbell**  
*Commissioner (Ex officio)  
United States Sentencing Commission*

**4:15 p.m. ADJOURNMENT**

**HOSTED & SPONSORED BY**

The Tampa Bay Chapter  
of the Federal Bar Association  
-and-  
The United States Sentencing  
Commission

*in cooperation with*

The Criminal Justice Section  
of the American Bar Association

**THANK YOU!**